

08/08/2013 16:02 FAX

McGIVNEY

003/003

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZBYSZEK SZALAJ and STEFANIA SZALAJ, X

Plaintiff(s),
-against-90 CHURCH STREET LIMITED PARTNERSHIP,
et al.,

Defendant(s). X

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Index No.: 06-CV-05336

**STIPULATION OF DISCONTINUANCE AS
TO DEFENDANT, GENERAL
REINSURANCE CORP., ONLY**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so stipulate that each claim, cross-claim and counter-claim asserted by and against defendant **GENERAL REINSURANCE CORP. v/s/h/a GENERAL RE SERVICES CORP.**, (*hereinafter referred to as "GENERAL RE"*), only as to the claims being made as to the premises located at One Liberty Plaza, New York, New York is discontinued without prejudice without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the court of the litigation which determines that **GENERAL RE**, is proper party to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

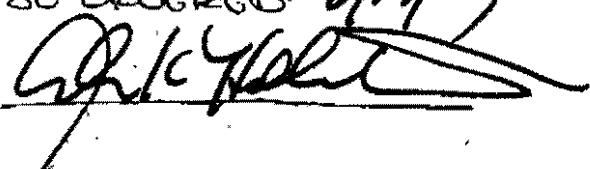
Dated: New York, New York
August 7, 2013

McGIVNEY & KLUGER, P.C.
Attorneys for Defendant
GENERAL REINSURANCE CORP.

By:

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SO ORDERED: 8/13/13



GREGORY J. CANNATA & ASSOCIATES
Attorneys for Plaintiff(s)

By:

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